

REMARKS

By this Amendment, claim 2 is canceled and the remaining claims, claims 1 and 3-13 are pending. The subject matter of claim 2 has been incorporated into claim 1 and the preamble of the claims has been amended to make clear that the combination of the laser radiation and modulation device is being claimed.

In a diode laser, the active layer is very thin, on the order of one micron and may have a length of 10 mm. The divergence in the direction perpendicular to the active layer may be as great as 40 degrees whereas the divergence in the other direction, the slow axis, may be on the order of 1 - 5 degrees. As noted in the Background of the Invention section of the application, the known GLV modulator is not suitable for use with a laser diode bar or stack of laser diode bars.

The Examiner rejection claims 1-3 as being anticipated or obvious over Kowarz et al. (U.S. 2003/0086179). This rejection is respectfully traversed in view of the amendments to the claims and the foregoing remarks.

Amended claim 1 recites laser radiation and a modulation device, the laser radiation having a greater divergence in the fast axis as compared to the slow axis. This is an inherent characteristic of a diode laser. Kowarz does not disclose the use of a laser diode or any layer having different divergences in separate directions. In paragraph [0023], referred to by the Examiner, Kowarz discloses a linearly polarized laser which is true for almost every type of laser and does not mean that the laser has different divergences in different directions. Most common lasers, such as HE-NE laser and AR-ion lasers produce a totally symmetrical beam. The invention and claims are directed to the problems of asymmetrical laser beams not disclosed or suggested by the prior art.

The claims are allowable over the prior art and favorable action is eagerly and earnestly solicited.

If any issues remain and the Examiner believes that a telephone conversation would resolve such issues, the Examiner is urged to contact the undersigned attorney. If any fees are due and owing, the Commissioner is authorized to charge Deposit Account No. 08-2455.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Christopher J. McDonald", written over a horizontal line.

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